G. R. S. IX-5]

Previous references.

1894 18

192

(L. R.)

File No. 162

Serial Nos. 1—10.

Later references.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 1 — 10

Part B for January 1896.

SUBJECT.

Appeal of Kowri Rao, Inamdar of Kurugodu village regarding his claim to the Inam of the said village - Bellary Bangalore District.

To, Kowri Rao, Inamdar Kurugodu
Bellary District.

No. 1530/75 Dated 31.1.96.

I am to inform you that the Secretary of State has been advised to cancel the sale of Government rights to the Kurugodu Inam.

W D—GP—57000—1-6-20

P. 7. 100 of 23

1-60

Appeal 783/94-95

Appellant
Kaccheri Road
vs
Respondents Road
Jodidars of
Sivasubramaniam
Devasthanam Trustees

Appellant and
one Ganesha Rao are
entitled to a fifth
share in the Jodi-
-ddage of Sivasubramaniam
in the Complaint
of the Jodidars in 1889
that on account of
an incorrect valuation
of the village by the
Survey Dept an Appeal
against which has been
heard upon it. the
Secretary of Rev. Survey was
requested to resurvey
the village and to submit
a report showing the

3

3 The Survey Officer further reported that valuation was made equally on the principle that when more than half of a number was under cultivation, the whole number was treated as under cultivated and when less than half the number was under cultivation, only the extent to cultivated was taken into consideration. He also said that by a clerical mistake 25 acres 18 guntas were included as cultivated while as a matter of fact they were waste. The errors corrected, the valuation stood as follows:—

		Assessment R
Cultivated	Dry 7p-36	131 -
	Wet 4-5	24 -
	Garden 2-7	11
	86-8.	R. 166

4

Cultivable Waste L A

Dry 95-15 133 -

Wet - 36 6 -

96-11 139

Uncultivable Waste

95-21

Grand Total 198 acres,
assessed at Rs 305-4
(as against an assessment
of Rs 310-4 at
original Settlement)

Finally on 17 February
1874, the Court passed
the following orders —

"The Court have given
their best Consideration
to the subject and are
of opinion that the Cultivated
& fields Cultivated more
than half as wholly
under Cultivation for
purposes of valuation
was not fair to Individual

Area Actually under Cultivation then (1798)

2

Trial no 6

On 22 Dec. 1830 I, the Dy Collector was directed to survey the Lands of the Vadi Sowaffandalli village [illegible] further order

Trial no 7/2

On 18 February 1831 the Dy Collr Re-Surveyed & submitted the result of his Re-Survey, which appears from the following Statement:—

	Re-Survey A. G		Survey officially made A. G
Cultivated			
Dry	36-6	— —	105-14
Wet	0-39	— —	4-5
Garden	3-1	— —	2-7
	40-6		111-26
Cultivable waste			
Dry	133-38	— —	67-37
Waste	3-11	— —	2-36
	137-9		70-33
Uncultivable Waste	17-15		15-21
Grand total	195-50		198-0

5

Inundations did it was not calculated to give satisfactory average results, unless at the same time account was wanted to be taken of any fraction of the area of fields cultivated less than half the size of survey will accordingly be granted to revise the valuation of these (Savaffamballi a one) and other villages with reference to the extent of land actually under cultivation at the time of classification without any distinction as to whether a field was cultivated more or less than half. The decision is noted can be effected on the survey records without any additional labour in the field

7 7

the results of the original
Survey and the Resurvey is so
large as nearly 50 per cent
and that the Govt Considers
it very unlikely that the
Incumbrances would have
purposely left so much
area unattributed for
a series of years or the
Chance of getting the
Grant not reduced. As
Considerable time has
now elapsed since the
resurvey, I am to request
that a further Survey
of the lands of the
Estate may be made
for the satisfaction of
Govt and the result
reported in due Course.

The result of this
further Survey of
Ramsfarnhalli ordered
above has not been
communicated yet
to Govt by the Supt
of Revenue Survey

On 26 Dec 94,
Seemanna Chetty, one
of the Defendants of
Sandyanbelly, Complained
& Got that his Share of
the Jodi was levied by the
Dy Comm and the Shares
of some other Inhabitants
sold for the recovery of
their Shares, in Spite
of the direction of the Govt
(dated 22 Dec 93) that the
Village should not be sold
pending further orders.

It was forwarded
to the Dy Comm for report
as to the Circumstances
under which the Dy Comm
took this action into
Consideration that a Sale held
contrary to orders should
be Cancelled (Ord
dated 26 December 1894)

The Dy Comm's
reply is that the appeal
of the Defendants of Sandyanbelli
was disposed of in Govt No

Act of Assembly should
be taken in the Minutes
of Council also any
Special Orders which
shall be passed should
with the original
Valuation. (No
Date No 4223-5 dt 7 Feb 94)
07.100.93

On the Same day,
after hearing the General
Instructions Qualifications
the Oaths passed the
following Order &
Resolution & Assessment
Collector is Appointed —

Assessing & the
Order & the day appointing
the Meeting of Valuation
& Assessor on the Second
Day of Court Calendar
at the time & Municipalities
I am directed & Ordered
that in the Case of
Non Payment of the
Assessment Rates
the Assessing Collector

9

14.223-5
P.7.100-93 d 17-2-94

In the Supreme Court
of Judicature
Appeal Court
The Right Hon. Sir
Conyngham Ball Q.C.
Lord Justice of Appeal
The Right Hon. Sir
Peter O'Brien Bart.
Lord Chief Justice
of Ireland
The Right Hon. Sir
Edward Gibson
Lord Ashbourne
Lord Chancellor
of Ireland

The Queen's Bench
Division was called
at 10 o'clock
A Motion
was made in Re Lord
Mayor &c. of Dublin
which was fixed on 30-5-94
for Sessions Court
House Row and after
and it was agreed on
the Solicitors Gazette
on 2-6-94

The Judge which
had been attached on
2-9-90 was extended

11

Fr. Lille du 31-8-94.
Rel. du rapprochement des
numéros de la Légion
d'honneur. Copie de la
dépêche ministérielle
reçue du 12-8-94 avec
pièces jointes. Réponse
au dit 14 à la même
date. Copie
de la dépêche
reçue du 18-8-94 transmise
au Général Commandant
le 19e Corps d'armée
Le Préfet du Nord
à Monsieur le Ministre
de l'Intérieur
et des Cultes
Paris
Lille le 21 Août 1894
J'ai l'honneur de vous
adresser ci-joint
la dépêche du Ministre
de l'Intérieur et des Cultes
en date du 12 courant
relative à la
demande de
renseignements
qui vous a été
transmise par
votre dépêche
du 13 courant
Veuillez agréer
Monsieur le Ministre
l'assurance de
ma haute
considération
Le Préfet du Nord

Vuttkhan was absent and as the mortgagee of some Vuttis asked for time for payment.

The Auctioneer adjourned the sale from 4-9-96 to 7-9-96 and made the following order:—

"The only Vutti for sale is the property of Kodeni Row. He had asked the money to be recovered from Subba Row, the mortgagee thereof. The latter refusing to pay the same has to be recovered from him and he has been again added as the Defendant. Sale is adjourned to 7 inst pending receipt of the money. On the same date viz 4-9-96 an Endorsement was sent to the applicant that Subba Row refused to pay, that the sale was again adjourned to the 7 inst

and that if he failed
to remit the amount
before the date, her
Vakil would be told
this undertaking i.e. that
he had asked appellant
on 6-9-94 who sent
a Money order for Rs 47-15
on the following day and
it reached the Builder
on 10-9-94.

As the Builder
did not receive the
amount on 7 Sept 94,
he put up appellant's
Vakil to enquire and
then purchased by
one Nawab Khan for
Rs 122. The Builder
submitted the records
of the case & the
Dy Comm recommending
the cancellation of
the sale on the ground
that appellant paid
the amount into the
Chemanji Post Office
within date of sale

of the Revenue of the
Sheriff of Dundee since
the Judgment on 27-8-94
& the effect that Arrears
Standing Rs 80 came to
Rs 198-11-5 and that
the Share of it was Rs 47-14-11
and that the sale
would be stopped if
the Decree money
was paid. The Judgment
debtor stated to have applied
Application on 30-8-94
and on the same date he
addressed a letter to the
Decree holder & Pleader
stating that D. being
Ram Chandra of
Narsapalle Salem would
pay the same during
the month and in case the amount
be not so paid, he would
himself bind it on
getting information
of

The Decree Amount
the sale from 31-8-94 to
4-9-94 as Stamp on the

1/5 of arrears 39-11-11
Process fee 0-4-0
Interest 7-15-0
Total Rs 47-14-11

15

Cal. Ct. of Sessions
Conference Table
on 11-10-94

The present
appeal is against
the above order.

The Dy Commr has
wrong in Rejecting
that in Cmp No 14 & 23-5
7 17-2-94
~~Babu~~ Lalchand
Judgment case was
disposed of. The Court
the Survey Dept &
to Classify the Valuation
of the Vessel
the Case may be disposed
& have been disposed of
the Judge has
been called upon.

2 The Table was prepared

7

adjournment shall be recorded in writing and the sale conducted or completed on the next or following day, provided however that no sale shall be adjourned for more than three days, including the date fixed in the proclamation on which the sale commenced.

The Auditor's report shows that the other four Ruttedars paid their shares before the sale

adjourned to take
place on 31-8-94.
It was adjourned to
4-9-94 and again to
7-9-94. This was
quite illegal, having
appeared to close S/P
Roll 4. of the Local
Revenue Rules, which
is as follows:—

Proper Annual accounts
must be made for
Collectors and
Collecting a sale
on the very date
mentioned in the
foreclosure-decree. The sale
must be commenced
at the appointed time
and closed by the
hour named in the
foreclosure-decree. But
if for Any reason the
Collector decides
to adjourn the sale he
must in the following day,
the reasons for such

Certain questions arising
between Mr. Gregory and Mr. Mackenzie
in the course of the sale
on the 31st inst. [illegible]
commenced [illegible]

Buttan
Mac
23/3

26-11-94 Copy letter of
Mr. Gale - Mr. Mackenzie
Where is mentioned
in this matter
the sale did
not take place
before the
Mahatder -

Where is Mr. Mackenzie?
Question referred to (26)
Mahatder? Let him
give reasons

21.3.95

Ended.
From the terms of the
Dy Comrs letter no
377 of 23/Jan/95,
it does not seem that
the Dy Comrs is of opinion
that the sale of the village
was illegal.
The endorsement referred
to in 26 (in Enquiry) is what
was sent from the office to
Peth informing them that a
report had been called for.
Peth did not produce any
endorsement with the petn 1483

22/3/95

22/3

18

A.S. 78 of 94-95.

Petition No. 530, 3 of 887 & 1004.

Petitioner - Konere Kon
(Rep: Samarta Kumaya)
A Shareholder in the Joint Village
of Sanappankalli in the
Devanhalli Taluk

Subject - Sale of Petitioner's share
in the Joint Sanappankalli
village for arrears of
revenue.

In view of the enquiry instituted
into the complaint of the Petitioner
that your share had been charged
on an incorrect valuation of
the village the Government, in
December 1890, directed postponement
-ment of the sale of Sanappankalli
village pending further orders.

In December 1891 the Deputy Commr
reported that the Joint of this and
similar villages Hadal & Anekal
the arrears against the Taluk
unnecessarily and suggested
the Petitioner's being required
to pay up the demand and then
apply to Government for any
relief to which they might be
entitled. The Deputy Commr addressed
reminders to each of the
Petitioners in Aug. 1893 & March 1894
Orders were issued in August 1894

that

Dated 12.8.25.8.93.-2-94
paper (6a)

Letter No 69, 8.3.-2-94
paper (15)

papers (16½) and (18½)

No 365, 8.3.-8-94
A. 472
paper (21)

case of the
Head in the village under article
the collection of Govt, sent
must be postponed till the
complaint of the Judicial was
disposed of.

(4)

In Septr 1894 the Asst Commr
reported that relying the village
hints, reference & the instructions
conveyed in Govt Proceedings
No 14223-5 dated 17th Feb. 1894
C.F. 100-93
the Judicial should be entitled to
a reduction of about Rs. 8 for
Amman or of Rs. 80 for 10 years
and that he had ordered the
amount to be kept back and the
rest of the arrear to be recovered
in due course of law. In taking
this step the Asst Commr was
apparently not aware of the
special instructions issued to
the Survey Supt in respect of
the village in question, to have
the lands of the village re-surveyed

letter No 309 8.9.94
paper (23)

paper (16)

letter No 4226 8.9.94
C.F. 100-93
paper (18)

In Novr 1894, the Petitioner
and another Judicial named
Srinivasachar complained of
the proceedings taken by the local
authorities for the recovery of
arrears, and of the sale of the
Petitioner's share in the village
on the 7th September 1894 contrary
to the orders of Government. On
forwarding these petitions to the
Asst Commr for report Govt directed

Rt 785 826 - 94 paper (26)

Rt 968 8.12.94 paper (29)

10

that the field contrary to orders should be cancelled, and called for explanation as to why the Village was told while the Govt had directed the sale to be postponed until further order in docket No 825 dated 22nd Dec 1894.

In reply the Commissioner submitted on 10th Dec 1894 a copy of his report of 7th September 1894 in which he said he had authorized the collection of all but Rs 180, and on the 23rd January 1895 made a report of the circumstances relating to the sale of settlers share in the village. With reference to this, the Govt drew the attention of the Commissioner to this office docket No 783 dated 26th Nov 1894 which, it was pointed out, declared the sale in question to be cancelled, and asked the Commissioner to state what further orders were required in the matter. The Commissioner again referred to his report of 7th September 1894 and asked whether the whole balance should be allowed to hang on till the Survey Department revised the land rent.

Final orders as to the revision of land rent as per results of resurvey was, vide Govt in Proceedings No 1269-70/17.100-93 dated 25th July 1895. It was

Docket No 691.3.1-12-94
Paper (27)

Letter No 877.823-1-95
Paper (34)

Docket No 1568/17.10.93 822-3-95
Paper (30)

Letter No 1245.3.5-4-95
Paper (38)

Paper (44)

252

The village was notified for sale on 31-8-94 and a copy of the notifn was served on Petr on 18-8-94. On 21st Idem, Petitioner asked for information as to the amt due for his share, and in furnishing this he was told by endorsement dated 27th idem that the amount should be sent by a money order. Petr replied on 30th Idem that the mortgagee named Soobhan (Shanitha Nilavangala Zulu) would pay the amount, but Soobhan failed to pay though the sale was adjourned from 31st Augt to 4th Septr. Petitioner was allowed another chance and the sale was adjourned to 7th Septr. The Amildar's endorsement dated 4th Septr informing him of this was delivered to him on 6th Septr and on the 7th idem he sent the amount by a money order, which reached the Amildar on 10th Idem. The sale was held on 7th Idem but the Amildar recommended its cancellation. The Dy Commr however confirmed it because the money was received too late and he "saw" no reason to disturb the sale

Subt for orders

7/10

Counsel case

Sd A Forbes 2nd Councillor

2nd Nov/94 The Case & Question was

ordered to be set aside.
Instead of doing so, & taking fresh action after the final decision of the question, the Dy Comr has declined to deliver the sale in the absence of an order in appeal.

The vernacular record has been called for. In the meantime the appeal may be posted for hearing.

9—10—95

If the sale referred to is the one which has been held contrary to the orders of Govt and which on what ground has been held wherewith cancelled prior to formal orders by Govt fixing the exact demand, it must now be declared that that sale has no legal force. If

Govt has been transferred and such would it must now be vested with the Dy Comr in pursuance a course of action not approved of by Govt would be open to notice, by there is now no necessity to owing to circs which need not be mentioned here.

The above is the order which I propose to pass. Govt the lease would by technicality it has also appeal Commissioner also place this file Mr A. R. Sahel there is notice in the case I propose to pass it

13.10.95

stated Hence that the Dt Comr of Bangalore may take action to collect, herewith the arrears which have been held in abeyance. Taking into consideration the fact that the Petitioner are not altogether at fault for allowing their arrears to remain unpaid the Govt are pleased to permit the interest payable on them."

It was thus the desire of Govt that the sale held by the Dt Commr should be cancelled and that fresh proceedings should be instituted to recover payment in accordance with the observations that fault appear seem to have been given to the said proceedings in an endorsement dated 20-8-95 issued by the Amildar to the Petitioner, the Amildar says:—

"As the sale was duly held, and confirmed by the Dt Commr the property has been given to the purchaser & the Petitioner - you can have it entered in your favour if an appeal be not order in your favour."

The appeal presented by Petitioner on 28th Nov. 1894 has thus to be heard and disposed of.

The transaction proceedings are not in the file, the facts relating to the sale of 6 Cows have in the initial are given in the Dt Surveyor report of 23-1-95 and the Tagarana Head Assistant's Memorandum of 14-3-95 are:—

21

"Have been sent on"

Re declaration of Invalidity

There was no formal order cancelling the sale (clearance number 6029). The Company confirmed the sale & put the purchaser in possession. The Metz now seeks to get Watsonder declared a bona fide purchaser under Regulation 20(7)(a) of the Invalidation Regulations who can be disregarded. Under Para II (10)(2)(b) the Company can only cancel the sale with the consent of the purchaser or a formal Declaration after due notice to the purchaser therefore

absolutely necessary.
Please ring Thomson
& post the cards for
Monday -

C.

Read
18/10

15-10-55 -

All right
Mr. Thomson is
Mr. Thomson; disordered
so unfortunate that the business
should be deemed unimportant
& therefore there be no defects
further then be post-
poned
Mr. Thomson
who so called himself
Read
22/10/55

Ref
from allotment
23/10/55

The purchaser,
Kenneth, this cousin
Scandalous has wants
heard - and Scandalous wants in the
the sale to be confirmed month in the
28th of October he has lodged a petition
against for this confirmation of the sale -
Kenneth Mr wants the sale to be cancelled
for the reasons already given, viz that the
sale was held contrary to the orders
of Court dated 1st Nov 1955 that the demand
has not been properly served
& this affidavit had therefore
viz allegiance the sale
was to be can-
celled

14-11-55

Gen. Serial No. 82.]

189

No. 1530

Name of Petitioner. Vonere Ran
Amildar of Devanahalli village
Bangalore taluq

Village:

Taluk: Chennapura

District: Shimoga

Date of Arzi. 28-11-94

Date of Receipt. 1-12-94

Date of Disposal 16-2-96-1
to 1

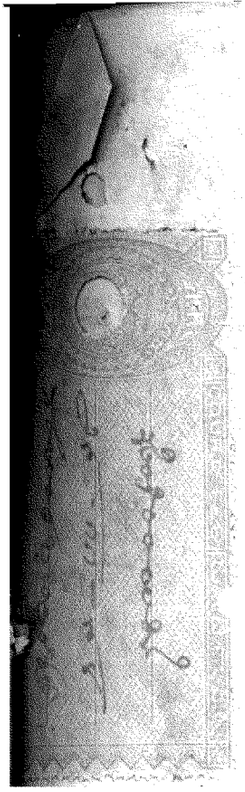
No. of Enclosures. 9

ABSTRACT.

Petition against the order of sale of his share of the Inam in the Devanahalli village, Bangalore District and praying that on perusal of the connected record, the sale which was effected in the [illegible] Fasli by the Collector of Bangalore on the 7th September 1894, may be cancelled

The grounds of appeal are in English.

The order of the Amildar of Devanahalli Taluq, on the application asking for refund of the Kabsat



Channagiri
28th November
1874.

To
The Stamp officer

No
1530
11/12

The Dewan to His Highness 1530 dated
1-12-94
31-1-95 Maharaja of Mysore. —

Respected Sir:— A.S. 78 of 94-95

This is an humble application of Koneri Rao, now a Revenue Gumasta in the Channagiri Taluq, the son of late Annaje Rao, of Sannappanahally, Kundanada Hobli, Devanahally Taluq, Bangalore District.

The said village of Sannappanahally is an Inam to my family, the one fifth of which, including dry and garden lands being my deceased father's share has been in my possession and enjoyment

My father, Annaje Rao, the holder of the Inam land died about a year and a half ago. I came to understand, that my share in the land, was sold on the 7th. Sept. 1894, for the arrears of Khalsatte, As my share in the Inam has been unreasonably sold for the arrears of Khalsatte, I have preferred an appeal, before your honour, against the order of sale, and therefore request that your benevolent honour may be pleased to cancel the sale, on the perusal of the records in the Taluq and the District regarding the sale of my land.

amount is as follows —

"a portion of the ~~the amount has remitted~~ ?

~~has been credited towards~~

~~the deficiency of~~

"The sale having forfeited only a portion of the arrears due, part of the amount remitted by ~~him~~ the applicant was intended to make good the deficiency. The petitioner is requested to receive ~~the balance~~ in person the balance left in his farm."

Page 2

4

The grounds of appeal are as follows:—

My share in the land was sold for Rs 4,32-4 being the arrears of Khalsatt since the year 1886-87 together with the interest thereon up to 1893-94 (the year I pay).

2. I was not aware of either the imposition of Khalsatt upon my Land or its being in arrears; and my deceased father the holder of the land was not served with notice for the demand of the same during his lifetime.

3. I came to know on the 18th August 94 that on the receipt of the notification sent by the Deputy Collector to the Chairman of Taluq Board with its Jamabandi No 36/12-8-94, proclaiming that the whole Inam will be subjected to sale for the arrears of Khalsatt on the 3rd September 94. Immediately after the receipt of the same that is to say on the 20th August 94, I put in an application to the Deputy Collector that I am ready to pay the share of my arrears. I am informed as to the cause of the sale of the Land and the amount of my share in arrears, for which I received the endorsement 30-8-94 as per Taluq No 8,712-8-94, stating that the balance due by me is Rs 4-4- as stated in the above. Both very humbly pray

(Sd) 30-8-94.

that only my share in the land was sold
for the arrears of the Khalsa, after the Sep-
tember 1894, but the same was also confirmed
by the Deputy Commissioner

5 I remitted the amount after the September
1894, which is the date fixed for the sale of the
Land, the same must have reached after the
September, the sale was not confirmed by that
time. The first endorsement that I received from
the Revenue Ally Lalaj Sahib, that as the amount
is not paid by Lubbo Ram, the sale of the Land has
been adjourned for the 7th August 1894; As I re-
ceived the endorsement only on the 6th, it was not
possible for me to pay the amount at or before the
time fixed for sale, so I remitted the amount Rs
Rs 47-14-11, through Money Order, from Chamyo
to protect the Land against the order of the sale of
the same.

6. The notification of sale is intended for the sale
of the whole Imam, but the Land that was sold
was only my share in the Imam, I come to know
that when the members of my family to repre
sented before your honour, touching the order
of the sale, your honour was pleased to order that
that the amount will not be recovered from
till a second order is issued. This being the cas
I humbly beg to know, under what circumstance
that only my share in the Land was subjected to

30

dated the 20th. August 1894, again submitting application that the same may be reconsidered from Subdivision, which has been expunged the land thereby; again returned an endorsement No. 47 4-9-94 on the 6th. September informing me that Subdivision, alluded to in the above did not pay the Rent, it has been fixed that the rent of the land shall take place on the 7th April 1894, if the amount is not paid within three days from sale, & remit the amount due by through Money order on the 7th of the month. I was reminded that the same is not in deposit.

4. Subsequently I came to know that whilst the members of my family represented to the Honour, praying that the Diram is not subjected to Abatement, I was honoured to pass order that the amount of Abatement imposed upon the land is not to be recovered until another order is issued and the present notification of the sale has been cancelled. Thereupon I put in an application to return the amount, but by me ~~in accordance with~~ against the order of the sale of my land, for which I returned an endorsement No. 121 22-10-94 of the Deputy Collector, stating that it has received orders as per letter 2/3/10-94 of the Deputy Commissioner of the District, & requested to the effect

that

Copy 6

33

to the effect that my Lord, to present myself before your honor in presenting this appeal, cannot be recommended as it is the time of Jamabandi -

I therefore request that your honor may be pleased to consider, all the documents herein enclosed and also the records in the Devanahally Taluq & the Bangalore District concerning the irregularity and the circumstances regarding the sale of my Inam land, and to pass favourable orders, cancelling the sale.

I beg to remain
Sir
Your most obedient servant

Cap 5.

32

7 Sir, I submit, for whom the land is sold seems to have been standing in arrears for the last eight years, if the fact of its being in arrears was brought to my notice at anytime before the issue of the notification of sale, I could not have settled the matter instead of running into risk; as my share only was subject to sale, settlement was reasonable and without previously communicating the same to my knowledge, I therefore request that you may be pleased to pass favourable orders considering the internal circumstances.

8 This is an appeal against the order No 270/11-10-94 of the Dy. Commissioner of the Bannu district, as communicated to me as per endorsement No 121 of the Kanungo Saiyid Jalaly

9 Further beg to bring that I have herewith enclosed the following documents for your kind perusal

(1) No 87/27-8-94 Endorsement of the Kanungo Saiyid Jalaly

(2) No 71/4-9-94 —— do. ——

(3) No 121/22-10-94 —— do. ——

(4) No 122/30-10-94 —— do —

(5) Postal Notification of sale of the land issued through the

(6) Postal receipt for remittance of money through money order — dated the 7th September 1894

(7) Acknowledgment for the same from the Saiyid Jalaly

(8) The endorsement No 717/14-11-94 of the Chamkani Saiyid Jalaly

34

L R 169 96-2

MYSORE DEWAN'S OFFICE.

PETITION DEPARTMENT.

29

OFFICIAL MEMORANDUM.

The accompanying Petition No. 1520
dated 28 Nov: 1894 received at the
Dewan's Office from Konne Rou
Naindar Venkappanna
halli Bangalore Taluk
residing at Chennagiri
appealing against Re
Bangalore Dy. Commissioner's
order regarding Re sale of Re
petitioner's land in Re village
is forwarded, together with its Enclosures
nine
enclosures, to the Dy. Commr.
Bangalore for
submission of Re entire
proceedings together with
report on Re facts of Re
case and on Re points
urged in Re petition.
2. It appears Re village
sold while Re Govt. had
directed Re sale to be
postponed until further
orders in Docket No. 825
dated 22d December 1894
3. The petn with its Enclosures
should be returned.

By Order,

12/12/94

for Chief Secretary.

BANGALORE,
12-12-1894

12/12

12/12

M.G.C.P. Bangalore.—3-5-94.—1,000.

D No 877.
En: 1 file

Dep: Commissioners Office
Bangalore Dt
Bangalore 23d Jany: 1895

To

The Chief Secretary to the
Dewan of Mysore.

Sir,

Adverting to your
off: memo: No. Pet/968 dated
11 December 1894 forwarding
for report a petition from
Koneri Row, an Inamdar
of Sanappanahulli, Devana
hulli Talk, complaining
of the sale of his share in the
village for arrears of revenue.
I have the honor to submit
the record of the case and
with reference to para 2 to
solicit attention to this
office No 309 dated 7th
September last explaining

Enclosures returned.

the Circumstances under which I ordered the arrears to be recovered.

2. As regards the Complaint of the petitioner, I beg to state that measures for the Collection of the amount due on the village have been in Course of process from March 1890. In February 1894, the Government disposed of the Inamdar's Complaint about the Excessive valuation of the Village - Vide Pro: No 1423-5 dated 17 February 1894 Pet: 7 100.93 and steps for the recovery of the arrears were renewed. The Inamdar having failed to pay the amount the village was attached and advertised for sale

Gen. Serial No. 30.] 34 9719

1894-95 Pet 434

From The Dy Commissioner,
Bangalore District

To

The Chief Secretary to the
Dewan of Mysore,

R. 162-94-3

Dated 23rd January 1895.

Despatched 25th

Received

Enclosures No. 1 file.

General No.

No. 877.

In reply to Chief Secy's Office Memo dt. 968 of the 15 December 1894

SUBJECT.

Reports on petition from Kenchi Rau an Amildar of Sanapanahalli, Pavagada Taluk, complaining of the sale of his share in the village, for arrears of Revenue.

References (to be entered only in the Dewan's Office.)

on the Mysore Gazette
3. The petitioner who was
served with a copy of the
said notice applied to the
Auditor, on 27 August last,
for information as to the
amount payable by him.
This information was at
once furnished and on
30 idem, he wrote to the
Auditor that he had
arranged for the payment
of his arrears and that
Subba Rau Srinivasan
of Bellary would pay
it, but no money came
from the petitioner or from
Subba Rau. Hearing the
Auditor assumed the
fine from 31st August 1894
to 4th and again to 7th Sept. 1894
and signed the petition
of the same.

15308/94

40

Ld. 162-94-4

The Dy. Commr
Bangalore.

Dated 22-3-95 15683
Pt. No. Pt. F. 100-93

Enclosure.

His letter no. 877 dated 3rd January 1895, reporting on the petition of Koneri Row a Vrittidar in the Inam village of Saumappana palli Devanhalley Taluk complaining of the sale of his vritti for arrears of revenue.

With reference to the above he has the honor to draw the Dy. Commr's attention to the ~~Chief~~ Revenue Secretary's docket No: Pet. 783 dated 26th Nov. 1894 which declares the sale in question was cancelled. He is requested to state what further orders are wanted in the matter.

By order

Draft
Rc'nder

25/3/95
Offg: Chief Secy

SHR 23/3/95.

28/3

1386

All the Creditors except the petitioner failed their dues before the date fixed for sale, and as there was no alternative the petitioners 1/5th share was sold on 7 September 1894 and purchased by Karumpiah for Rupees 102. The petitioner seems to have received the amount by a money order from Chennapuri on the 7 September 1894 but it reached the Tirumakudi Narsipur on the 10th when which was too late, and I saw no reason to disturb the sale.—

I have the honour to be,
Sir,
Your most obt. servt.,

S. Narasimayya
Dy. Deputy Commissioner

Gen. Serial No. 32.]

1895

No. 3465

Name of Petitioner.

Village.

Taluk.

District.

Date of Arzi.

Date of Receipt.

Date of Disposal.

No. of Enclosures.

ABSTRACT.

No. 2

To. Petn. of [illegible]

42

3410.

The Dewan to His Highness the

Maharaja Regent of Mysore

MYSORE DEWAN'S OFFICE
PETITION DEPARTMENT.
REG'D. NO. 3410 R
DATE 18-6-95

Most honored Sir

I the Revenue Gumastha in the Chinnagiri Taluq Siemoga distt con- Annajee Row most respectfully and humbly beg to submit the following few lines to your honors favorable Kind Consideration

I most respectfully beg to State that I petitioned in detail on 28th November 1894 about the unfortunable auction took place to my land in the post Sanafanehalli Kundanada Hobli devanhalli Taluq of the Bangalore district on which I have to claim for the recovery of greater amount of quit rent as the amount was not recovered from 1886-87. In reply I got order No 1580 dated the 15th Dec from your Honors office that

118

No 1530

Rev No 18 of 17/12/94.

19
ck 4/9

File is sent to Rev. Board on
18 with Govt No 1590
R 1130 } 26.8.95

Rev Bd. perhaps the file please

79

P 7100 of 93 pubs/s

Submitted
[illegible]
9/8.

4 C 7100-93

46

Gen. Serial No. 32.

1895

No. 887

Name of Petitioner. Koneri Rao

Village. } Revenue Inamdar
Taluk. } Chennagiri.

District. Shimoga

Date of Arzi. 20/8/95

Date of Receipt.

Date of Disposal. 4.1.162 96-6

No. of Enclosures.

ABSTRACT.

States that he is the owner of 1/6th part of the Jodi village of Panapanahally in the Kandanada Hobli of Devanhally Taluq, that his share was sold by auction for the arrears of Khalsath due for 1886-87 and that the sale was confirmed though he remitted the money within the prescribed period that he preferred an appeal against the Bangalore District Deputy Commissioner to the Dewan and that though he received no reply

He prays that his case may be speedily enquired into and that orders may be issued to the effect that the purchaser may not be put into the possession of the Inam village -

Kdc. 28/8.

45

that the petition was sent to the Deputy Commissioner & registered & petitioned to the Dy Commissioner to which I was favoured in the order No. 216 / 5,5,95 stating the Dy Commissioner was pleased vide Jr/1245 dt 15.4.95

Long time ago this village was sanctioned I must respectfully beg your honour will be kindenough to Cancel the sanction and favour me in the same way as other Claimants and take off the salary amount and thus protect your most obedient Servant

I have the honor to be
Sir
Your most Obedient Servant

(Sd) Kaneri Rev
Rev. Gurusiddha
Chennagiri Taluq
Shimoga Dist

12-6-95

No: 3

Date 20/8/95

Chamrajpet

MYSORE DEWAN'S OFFICE
PETITION DEPARTMENT
REG'D. NO. 887 P
DATE 26-8-95

R-P. (West)
Rev-Hdr
24/8/95

To

The Dewan to His Highness the
Maharaja of Mysore

Respected sir:—

I the undersigned Honere
Rao, Revenue Gumastha Chamrajpet
Salem respectfully beg to bring the
following few lines to your honors kind
consideration trusting that they will
meet with success.

I beg to represent to your
honor that I am a cosharer to the extent
of 1/5 part to the joda Inam Village
of Tanafanahally in the Kundanada
Hobli, Dharmahally Taluq Bangalore
District a notification for the sale
of whole Inam Village for the arrears
of Sh Kharcath due to the year 1886-87
was issued on 12-8-94 but only Inamdars

was afterwards put into auction. Further begs to represent to your honor, that I have already preferred an appeal on a proper stamped paper to your honor stating that the Deputy Commissioner has confirmed the sale, though I tendered the amount through money order before the usual date.

The endorsement granted by the Deputy Commissioner, states that he has sent all the original records touching the sale of the Village to your honor. On the receipt of the said endorsement, I have put in an application to your honor to pass proper orders on the perusal of the original records. Humbly request that the applicant has not as yet received any favourable orders to his application

Nearly a year has elapsed since the sale of the Inam. I hear that although the Auctioneer of Dummalady knows that I have

preferred an appeal to your honor
against the orders of the sale of the
Imam in question the buyer has been
put into the possession of the Imam.

Humbly beg to request that
your honor may be pleased to issue
orders to the Amildar of Dwarahally
that the property may not be put
into the possession of the buyer until
the disposal of the appeal.

I beg to remain
Respected Sir
your most obedient servant

(47)

49

Gen. Serial No. 32.]

1895

No. 1904

Name of Petitioner. Annasahib Narsingrao

Village. Kavathemahankal

Taluk. Miraj

District. Sangli

Date of Arzi. 26-8-95

Date of Receipt. 3-9-95

Date of Disposal. 21.16.2.96

No. of Enclosures.

ABSTRACT.

No. 4

1004

50

DATE 3-9-95

Petn 2-9-95

574

Gen. Serial No. 3[illegible]

REVENUE DEPARTMENT
Gl. No. 3215
R. No. 2057
DEWANS OFFICE

1895-96 2 80

46

From The Dy Commissioner, Bangalore District

To The Secretary to the Revenue Sect. of Mysore.

Dated 16th October 1895.

Despatched /6

Received

Enclosures—No. 1 file

Genral No.

No. 359

As requested in the Revenue Secretary's No. 3421 R. 747 dated 7th Instant, I have the honor to submit the entire record connected with the sale of Koneri Row's share in the Inam village of Sanapsandra-dally, Devanhully Talu[illegible]

I am Sir
Your Obt Servt
Dy Commissioner

Rec
Ref 1 Dcm
22/10/95

[illegible]
The subject has been dealt with in the Petn. This may be transferred to Chief Manch

To be transferred to the Petn Br
22/10/95

Secretary
Keep this with the papers to be posted to date in list. Bring up after 29th inst. for disposal
29/10
Posted 6 14 Nov 1895
Letter to appellant & papers to Cuddapah
21/10

ಪತ್ರಿಕೆ 5

ಕನ್ನಡ ಪತ್ರಿಕೆ

ಕೆಳಗಿನ ಪ್ರಶ್ನೆಗಳಿಗೆ ಸಂಕ್ಷಿಪ್ತವಾಗಿ ಉತ್ತರಿಸಿ. ಪ್ರತಿಯೊಂದು ಪ್ರಶ್ನೆಗೂ ಒಂದು ಅಂಕವಿದೆ.

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537

Ld. 162-94-9

Proceedings of the Court of Mysore

57

Read:-

(1) Petition of appeal No 1530/78 of 1894-95 presented by Honeri Rau, a shareer in the Jodi village of Samaghanhalli, Devanhalli Taluk, residing at Channajeri, against the order of the Deputy Commissioner, Bangalore, confirming the sale of his share of the village for arrears of Jodi

(2) Correspondence ending with the Bangalore Deputy Commr's docket No 65 of 16-10-95 and the records received therewith which show the facts to be briefly as follows:-

In view of the enquiry instituted into the complaint of the Jodidars that assessment had been charged on an incorrect valuation of the village, Government in December 1890, directed the reassessment of the sale of Samaghanhalli village pending further orders

In February 1894, the

lands of the village were ordered to be resurveyed and, in August 1894, the Dy. Commissioner was informed, with reference to the communication addressed by him that the collection of the present of the village cannot be postponed till the complaint of the Petitioners was disposed of. The Deputy Commissioner proceeded to recover the whole of the arrears, with the exception of Rs 80 which amount he considered liable to be remitted. The arrears demanded to be paid-up, with the exception of the Petitioners share ~~was paid up~~. The latter however ~~The Petitioners also~~ sent ~~up~~ the amount demanded of him by a Money order on the 1st September, which was the date fixed for the sale of the village, but as it was not delivered till the 13th idem, the ~~said~~ petitioners share of the village was sold on the said date. Upon the complaint of the Petitioners'

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and another Judicial, the Govern-
ment directed that the
sale held contrary to order
should be cancelled. This
however was not done, and
the petitioner was informed
that as possession had been
given to the purchaser,
he should seek to have
the sale set aside by appea

Encl: one letter file - Order. R: 68/18 / P.H. 100-93 / 31-1-96

The purchaser and Konari
Ron and his cousin Grandfa
have been heard. Grandfa
wants the sale to be confirme
Strongly on the 28th of October
he has lodged a petition
asking for the cancellment
of the sale. Konari Ron-
wants the sale to be cancelled.
The demand had not been
properly fixed and the exact amount thereof
collection was in consequence
ordered to be
been held in abeyance.
Nevertheless the sale was
held contrary to the orders
of Govt, and it ~~was, on that~~
~~ground, been held to have~~
~~been cancelled prior to~~
~~Land orders being passed~~

must therefore
be declared that
it has no legal
force.

~~forming the exact boundary~~ [illegible]
~~in July 1895~~. The sale
should accordingly be
cancelled and the purchase
money refunded to
Ramachar, the purchaser

Rev: Secy

To
The Dy: Commr:
Bangalore Dist
with records

29/1/96

20-రవాంనెల్
31-1-96

సర్కులర్ నెం 1

దస్తావేజులు 1530/78 కేసు విచారణకు సంబంధించినవి.

(49)

L.dis. 162.96-10

[illegible]

[illegible]

[illegible]

60

By order

Draft

31/1

For Revenue Secretary.